

REMARKS

Claims 1-10 and 18-24 are now pending in the application. Claim 1 has been amended in this response. The specification has been amended to correct minor formalities. No new matter has been added to the application by the above amendments.

As a preliminary manner, Examiner Nquyen is thanked for his helpful comments provided during the interview of August 1, 2006. The amendments and comments (below) are believed to conform with the interview discussion.

It is respectfully submitted that the references of record do not suggest or disclose the winding device or spool defined by the pending claims. It is requested that the outstanding rejections be withdrawn and a Notice of Allowance issued.

Allowable Subject Matter

The allowance of claims 18-24 and the allowability of claims 2-5 and 8-9 is hereby acknowledged. Claims 2 and 8 have been amended to independent form to include the limitations of any claims from which they depended.

Claim Rejections §112

It is asserted in the action that the language “the guide pathway reversing in direction in the transition segment to provide for simultaneous winding of the flexible material onto the primary and auxiliary winding surface during rotation of the device” does not meet the requirements of the first paragraph of §112. Claim 1 has been amended to remove the phrase “the guide pathway reversing in direction in the transition segment” in favor of other language which clarifies the structure of the present invention.

The phrase “the transition segment defining a reversal in the direction of curvature of the guide pathway between the first and second end segments” has been added to claim 1. Support for the new language can be found throughout the applications, especially in Figs. 1-3 and 7, and paragraphs 29-31 and 37. As such, removal of this grounds for rejection is respectfully requested.

Claim Rejections Based on Prior Art

Claim 1 stands rejected as being anticipated by US 6,511,009 to Harrison et al. Claims 6 and 7 stand rejected as obvious over Harrison and US 5,908,172 to Pierro et al. Claim 10 stands rejected as obvious over Harrison and US 4,387,863 to Edmonston. It is respectfully submitted that the structure recited in claim 1 is different from that shown in Harrison. As such,

reconsideration of the rejection to claim 1, as well as the rejections to claims 6, 7 and 10 which are also based on Harrison, is respectfully requested.

Claim 1 recites a spool having a guide pathway with axially spaced first and second ends communicating with primary and auxiliary winding surfaces, respectively. The guide pathway has first and second end segments which adjoin the first and second ends and extend in the same circumferential direction around the spool. The first and second end segments are connected to each other via a transition section, which extends in a substantially axial direction between the first and second end portions. The transition also defines a reversal in the curvature of the first and second end segments.

Harrison shows a spool having two or more winding surfaces and an S-shaped passageway therebetween. The closest structure to a “transition section” in Harrison extends laterally between two opposing end portions of the passageway which are located on adjacent levels, and spaced primarily by 180° of the spool. The transition segment of Harrison simply extends laterally through the center of the spool with minimal axial spacing between the entrances from the winding surfaces to the passageway. Thus, Harrison lacks, a transition segment which extends in a substantially axial direction between the first and second end segments, as recited in claim 1. The absence of this structure is highlighted by the generally flat nature of the spool in Harrison. Unlike the spool of claim 1, with its elongated barrel, the spool of Harrison is much wider than it is long. Thus, it is impossible for the transition area of Harrison to extend in a substantially axial direction. Because Harrison does not teach a transition segment which extends in a substantially axial direction between the first and second end segments, Harrison does not anticipate claim 1.

Regarding claims 6, 7 and 10, it is respectfully submitted that the addition of Pierro and Edmonston to Harrison does nothing to overcome Harrison’s failure to teach the transition segment which extends in a substantially axial direction. For these reasons, reconsideration and withdrawal of these rejections, to claims 1, 6, 7 and 10 is respectfully requested.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that the present application is in condition for allowance. Prompt action toward that end is respectfully requested. If direct communication will expedite the allowance of the application, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,
BRIAN P. COUCHEY, ET AL.

By: 

Thomas J. Durling

Reg. No. 31,349

DLA Piper US LLP

One Liberty Place

1650 Market Street, Suite 4900

Philadelphia, PA 19103

Phone: 215.656.2431

Fax: 215.656.2498

Email: thomas.durling@dlapiper.com

Attorneys for Applicants

TJD/WLB/sh